

REMARKS:

The claims in the application remain 21-52.

Favorable reconsideration of the application as amended is respectfully requested.

Applicant again elects Fig. 2 for examination at the present time.

Currently, Claims 21-24, 27, 28, 30-34, 38-45 and 50 all read upon the elected embodiment of Fig. 2.

More specifically, Claims 21, 22, 25, 30-32, 34, 38, 40, 44 and 45 have all been amended to refer to a single detector 40 (or coupler) and/or wavelength-dependent element 12 (reference is being made to the elected embodiment illustrated in Fig. 2). Similar amendment has been made in other claims presently directed to the nonelected embodiments of Figs. 3 and 4. Accordingly, there is absolutely no doubt whatsoever Claims 21-24, 27, 28, 30-34, 38-45 and 50, as presented herein, all read upon the elected embodiment of Fig. 2.

It is respectfully pointed out these claims all contain the transitional phrase "comprising." As defined in M.P.E.P. §2111.03:

The transitional term "comprising", which is synonymous with "including," "containing," or "characterized by," is inclusive or open-ended and does not exclude additional unrecited elements or method steps [emphasis added]

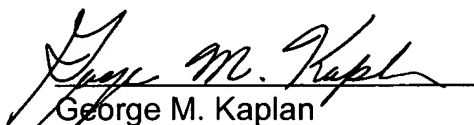
Accordingly, presence, e.g., of more than one photodetector 40 and/or wavelength-dependent element 12 is covered by such a claim. However, at the same time, presence of just a single photodetector 40 and/or wavelength-

dependent element 12 (as shown in Fig 2) is also covered by such a claim.

Accordingly, in view of the forgoing amendment and accompanying remarks, it is respectfully submitted all claims present herein are in condition for allowance. Please contact the undersigned attorney should there be any questions. A petition for an automatic two month extension of time for response under 37 C.F.R. §1.136(a) is enclosed together with the requisite petition fee.

Early favorable action is earnestly solicited.

Respectfully submitted,


George M. Kaplan
Registration No. 28,375
Attorney for Applicant(s)

DILWORTH & BARRESE LLP.
333 Earle Ovington Blvd.
Uniondale, NY 11553
(516) 228-8484